



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3329 OF 2024

1. Lakhnan Tulshiram Patil

and

2. Mr. Nitesh Sadanand Patil ...Applicants

vs.

The State of Maharashtra ...Respondent

ALONGWITH
INTERIM APPLICATION NO. 3925 OF 2024
IN
BAIL APPLICATION NO. 3329 OF 2024

Ranjana Krushna Patil ...Applicant

vs.

The State of Maharashtra and Ors. ...Respondents

Adv. Amin Solkar a/w Ms. Misbaah Solkar, Mr. Mohd. Taha and Mr. Umang Shah	Advocate for the Applicants
Adv. Shubham Sane i/by Mr. Priyal Sarad	Advocate for Intervenor
Mr. H. J. Dedhia	APP for the Respondent No. 1
Mr. P. B. Todase	PSI Bhiwandi Police Station

CORAM : S. M. MODAK, J.

DATE : 30th SEPTEMBER 2024

P. C. :-

1. Heard learned Advocate Shri Solkar for the Applicants-accused and learned APP and learned Advocate for the first informant.
2. Bail is asked on the ground of parity. This Court has granted bail to co-accused Sadanand Bala Patil and Tulsiram Balaram Patil vide Order dated 15.07.2024. It was on account of long incarceration. At that time, the Court has ascertained the pendency from trial Court. It is newly established Court at Bhiwandi. Cases are transferred from Thane to Bhiwandi. At that time there were 427 under trial prisoners. The stage of the present case was recording of the statement under Section 313 of the Criminal Procedure Code.
3. Learned Advocate Mr. Solkar has produced roznamas. Last roznama is dated 05.09.2024. The matter was adjourned to 25.09.2024 for recording of 313 statement.
4. Learned Advocate Mr. Solkar contends that then also statements are not recorded.
5. Applicants need to be given same benefit.
6. Learned APP and first informant's advocate tried to argue that these Applicants have important role to play, and it is deposed by

witness also. There are also recoveries.

7. Be that it may, the Applicants cannot be detained behind bar for long period which is more than 9 years. Hence, case is made out to grant bail. Hence Order:-

ORDER

(i) Bail application is allowed.

(ii) Applicant No. 1 - **Lakhan Tulshiram Patil** and Applicant No. 2

-**Mr. Nitesh Sadanand Patil** arrested in connection with C.R.

No. **I-218 of 2015** registered with Bhiwandi Taluka Police

Station in Sessions Case No. 221 of 2023 for an offence

punishable under Sections 302, 307, 326, 341, 120-B, 143, 147,

148, 149, 504 and 506 of the Indian Penal Code and Sections 4

and 27 of the Arms Act be released on bail on furnishing

Personal Bond and Surety bond in sum of Rs. 1,00,000/-

(Rupees One Lakh only) each.

(iii) After release on bail, the Applicants shall not enter the village

Porgaon, Taluka Bhiwandi till conclusion of the Sessions Case of

which trial is going on.

(iv) Applicants not to threaten the prosecution witness and allure

them in any manner.

(v) The Applicants to furnish alternate place of the residence to the trial Court and to the Police.

(vi) The Applicants not to leave the territorial limits of the Thane District till conclusion of the trial of the Sessions Case No. 221 of 2023.

(vii) Applicants to give attendance on every Monday from 10.00 a.m. to 12 noon to the nearest Police Station within the local limits of which they are going to stay during the period.

8. Accordingly, Bail Application is disposed of.

9. Interim application No. 3925 of 2024 for intervention is allowed and it is disposed of.

10. All Parties to act upon an authenticated copy of this Order.

[S. M. MODAK, J.]